

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ABDIRAHMAN FARAH MOHAMED,

Defendants.

8:11CR172

ORDER

This matter is before the court on defendant's application to proceed in forma pauperis on appeal, Filing No. 95. Defendant has been convicted of food stamp fraud after a jury trial. He has filed a notice of appeal (Filing No. 94) of his conviction and sentence. The defendant had retained counsel who represented him up until his appeal of this matter.

A party who was determined to be financially unable to obtain an adequate defense in a criminal case may ordinarily proceed on appeal in forma pauperis without further authorization. Fed R. App. P. 24(a)(3). Defendant's application to proceed in forma pauperis shows that he is indigent, notwithstanding his ability to obtain retained counsel.

The court finds defendant has shown that he is unable to pay fees and costs or to give security therefor. Furthermore, defendant seeks to appeal his criminal conviction and sentence and is entitled to seek that redress. Accordingly,

IT IS ORDERED that the defendant's motion for leave to appeal in forma pauperis, Filing No. 95, is granted.

DATED this 3rd day of August, 2012.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge